

REMARKS

The application has been reviewed in light of the final Office Action dated February 5, 2007 and the Advisory Action dated May 21, 2007. Claims 1-8 were pending in this application. By the present Amendment, new claims 9 and 10 have been added, and claims 1 and 4 have been amended to place them in better form for reconsideration, without narrowing a scope of the claimed subject matter. Accordingly, claims 1-10 are now pending, and presented for continued examination, with claims 1, 4 and 10 being in independent form.

Claims 1-6 were rejected under 35 U.S.C. § 102(e) as purportedly anticipated by Schwartz (US 2003/0219166 A1).

Applicant respectfully submits that independent claims 1 and 8 are patentable over the cited art, for at least the reasons set forth in the Amendment filed on April 27, 2007, which is incorporated herein by reference.

As previously pointed out in the record, Schwartz does not teach or suggest *adjusting the size of the coded data such that the size of the coded data falls within an acceptable range*, which includes the target size of the coded data set by the setting step, by subsequently discarding a portion of the coded data in a least significant order from the second memory based on the size of the coded data portion corresponding to each coding pass stored in the first memory. Each of independent claims 1 and 4 of the present application addresses these features, as well as additional features.

The Advisory Action referred again to Schwartz, [0181], which states as follows:

[0181] *One of the coefficient values may be modified to be either a predetermined closeness to another coefficient value. The closeness may be determined by some threshold. The threshold may be user set or adaptive based on some criteria.* The threshold could be different based on the subband and, perhaps, on

the persistence of the particular value (number of frames that this coefficient is close). In one embodiment, the coefficient value is set equal to the other coefficient value. In alternative embodiments, the coefficient is set to be within the quantization bin size of the other coefficient value or twice the quantization bin size.

Thus, Schwartz proposes that the coefficient values can be modified in order to obtain a predetermined closeness to another coefficient value. However, as pointed out in Schwartz, [0178] such modifications are performed to reduce flicker in the motion JPEG.

Schwartz simply does not teach or suggest that the coefficients are adjusted such that the size of the coded falls within an acceptable range.

If the Examiner should disagree therewith, it is requested that the Examiner explain how Schwartz's proposal of modifying the coefficient values in order to obtain a predetermined closeness to another coefficient value teaches or suggests adjusting the size of the coded data such that the size of the coded data falls within an acceptable range.

Applicant finds no teaching or suggestion by the cited art, however, of adjusting the size of the coded data such that the size of the coded data falls within an acceptable range, which includes the target size of the coded data set by the setting step, by subsequently discarding a portion of the coded data in a least significant order from the second memory based on the size of the coded data portion corresponding to each coding pass stored in the first memory, as provided by the subject matter of independent claim 1.

In addition, it is noted again that this application and the invention claimed in this application are assigned to Ricoh Company, Ltd, Tokyo, Japan (recorded by the USPTO at Reel 15145, Frame 0080), and Schwartz is likewise assigned to Ricoh Company, Ltd, Tokyo, Japan (assignment of parent Serial No. 09/800,934 and 09/784,928 to Ricoh Company, Ltd, Tokyo,

Japan was recorded by the USPTO at Reel 12088, Frame 0193). Therefore, in accordance with 35 U.S.C. § 103(c), Schwartz does not preclude patentability of the invention claimed in this application under 35 U.S.C. § 103.

Independent claims 4 and 10 are patentably distinct from the cited art for at least similar reasons.

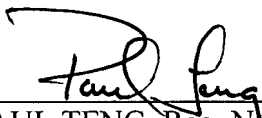
Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 4 and 10, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such petition. The Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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